

**MINUTES OF THE COMMON COUNCIL
WORK SESSION
March 25, 2014
Exhibit Hall – Rouss City Hall**

DRAFT

PRESENT: Councilor Jeff Buettner, Evan Clark, John Hill, John Tagnesi, and Ben Weber; Vice-President Milt McInturff; Mayor Elizabeth Minor; Vice-Mayor Les Veach; President John Willingham (9)

ABSENT: None (0)

President Willingham called the meeting to order at 6:00 p.m.

2.0 Public Comments: (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone)

President Willingham asked if anyone wished to address Council. Seeing none, he closed the Public Comments at 6:00 p.m.

3.0 Items for Discussion:

3.1 Presentation of Winchester Public School Board FY15 Budget Requests

School Board Chair Erica Truban presented the proposed school board budget. She pointed out the City's guiding principles and the items listed for each in the strategic plan that connects directly to the schools. She stated the School Board cannot reach their goals without Council's support and Council cannot reach its goals without the School Board. Under the operating budget, the school board is looking at increasing employee compensation, increasing academic support for underachieving students and gap groups, hiring an Assistant Superintendent, and enhancing/expanding the CTE program. In the demographic changes, the number of ELL students has increased by 180 in the last 6 years and those receiving free and reduced lunches have grown by 600 students in the last 6 years. To qualify for free and reduced lunch, a family of 4 must make under \$30,600 a year meaning 60% of the students in Winchester are living in poverty.

Ms. Truban stated to meet the budget priorities for FY15, the board is proposing a 3 % salary increase and a 10.8% increase in health insurance premiums funded with the WPS insurance fund, hiring 10 positions and continuing funding for Title 1 and 6 teachers, hiring an Assistant Superintendent, and expanding the CTE program by hiring 1 teacher and purchasing equipment.

The Schools must also hire a bus driver, a bus aide, and 2 librarians. The Schools are requesting an increase in operating costs of \$457,500 bringing the total request to an additional \$1,397,400 in FY15.

Councilor Weber asked how much of the 3% salary increase will go to administration and how much to teachers. Mr. Truban stated 90% will go to the teachers and support staff and 10% will go to the administrative staff.

Councilor Weber asked if the Board has discussed charging the students athletic fees. Ms. Truban stated the “pay to play” has not been discussed basically due to the 60% poverty level.

Councilor Weber asked if the Judges Athletic Association contributes anything. Superintendent Rick Leonard stated the association contributes about \$20,000.00 a year but that funding has been flat. They contribute more to scholarships now.

Councilor Tagnesi asked why it is mandated to hire the librarians. Mr. Leonard stated it was actually mandated a while back to give students access to the library and books on a daily basis. The mandate is tied to enrollment. Once enrollment is over 1000 students at a school, a second librarian is required.

President Willingham asked if the funding for FY14 included the \$20 million. City Manager Dale Iman stated the \$620,000 debt service is not included. He cautioned Council that there will be some very significant increases coming to include \$700,000 for Meadow Brach or the other road, \$1 million for furniture and equipment, \$3.5 million for the renovation of the existing John Kerr Elementary School or \$1 million to demolish it, and the \$620,000 debt service totaling \$6 million in the next two years or so. The City has very little capacity to issue more debt over the next few years as well so the \$6 million will probably have to come out of cash.

President Willingham asked how Council will know what success it. Ms. Truban stated the Board has a very extensive score card beyond the SOLs. The system needs to have 6 schools that are accredited. They also look at how many teachers are credited and the type of programs they have. She stated it is something the Board will be looking at during their strategic retreat. President Willingham asked for a copy of the measures that the School Board creates.

3.2 Presentation of Winchester Regional Airport

Renny Manuel, Director of the Regional Airport, presented a brief history of the regional airport. She stated in 1987, the localities formed an authority that would have the power to borrow money to move improvements along faster. The city has 2 representatives, Bill Pifer and J.J. Smith. The Authority owns and operates the entire regional airport and is charged with maintaining the facility. The current operating budget is \$2,275,479.00 with balancing revenue

supplements that are shared between the City and the County based on a 1994 MOU. Unfortunately, due to the declining economy, there has been a decline in the fuel sales which generate approximately 74% of total revenues for the operation and maintenance of the airport. The Authority has decreased their operating budget for the rest of the year and decreased the amount of fuel inventory kept on hand but they will need to request additional operating funding in the amount of \$30,235.00. In addition to the operating supplemental request, there is a supplemental request for the capital fund for the current fiscal year in the amount of \$91,506.00 for an airport equipment storage facility project that is currently under construction. The operating and capital budget requests for FY15 were submitted in January 2014. The operating budget remains unchanged. However, due to securing additional federal funds, the Authority is asking that the 2015 budget be amended to include a construction project for the south apron to meet FAA standards. This will increase the City's local match for that project to \$19,950.00. The Authority has \$3.5 million in monies for that project with 90% coming from the FAA and 8% from the state. There is a 2% local match of \$70,000 which is split primarily between the City and the County. The Authority is asking for a supplemental appropriation for the City's share of operating and capital for FY14 in the amount of \$121,741.00 and to amend the request for the City's share for FY15 to \$29,715.00.

Councilor Tagnesi asked if other entities make contributions. Ms. Manuel stated they make a nominal contribution in the amount of \$5,000.00 that is earmarked for capital funds.

Councilor Buettner asked if the capital funds are split as well. Ms. Manuel stated the split is 50/50 as determined in the MOU.

Councilor Weber requested to see a 5 year history on the rental income, hanger fees, the number of landings and take offs, and how it has changed through the years. He also asked why ProJet left the airport. Ms. Manuel explained that the fuel business has always been operated by the Authority and the revenue from the fuel sales is what supports 74% of the operating budget. That particular company wanted the fuel sales. A 2008 study performed to determine what would happen if the Authority privatized the fuel sales showed they would have to have \$422,000 a year from the City and the County in order to operate and maintain the airport on an annual basis.

President Willingham asked what the common level of subsidy was for airports in the Commonwealth of Virginia. Ms. Manuel stated it really varies depending on the structure, fuel sales, size, and location.

President Willingham stated the County's budget impacts the City's budget on the joint agencies like the airport and asked if the County had approved this request. Ms. Manuel stated the County's Finance Committee recommended

approval last week and it is goes before the Board of Supervisors tomorrow evening.

3.3 Presentation of the 2013 City of Winchester Annual Report

Public Information/FOIA Officer Amy Simmons presented the 2013 Annual Report. She stated 500 copies were printed and will be available at various city locations. The report is also available on the City's website.

3.4 Presentation of General Fund FY15 Proposed Budget Options

City Manager reviewed the adjustments made in the base budget based on the comments from the previous Work Session.

Finance Director Mary Blowe presented a tax comparison and what the additional revenue would be if Winchester's rates were raised to the state median. She also presented options for the proposed sanitation fee.

Vice-President McInturff stated the city has to get money from somewhere. He suggested getting little bits from many places rather than a bulk of money from one place.

Councilor Clark stated he agrees the money should come from small increases in the meals and admission taxes. He also expressed his surprise about the refuse tax and suggested doing at least \$5

President Willingham asked what the process would be for implementing the sanitation fee. City Attorney Anthony Williams stated it would take an ordinance to implement the fee.

President Willingham asked how long it would take to implement. Ms. Blowe stated it would take 6 months to implement so the budget will include a half a year of revenue.

President Willingham stated he supports funding the increase for the Schools and a pay increase for the City's employees. He also likes to see the increase in the number of firefighters.

3.5 R-2014-12: Resolution – Review and design selection for the National Avenue Gateway Improvements Project

Utilities Director Perry Eisenach presented the two options developed for the National Avenue Gateway Improvement Project. He stated one option is a round-about and the other option is a linear road. The round-about would be a unique feature coming into downtown that would be a traffic slowing measure. It would also make turning off and on East Lane easier. It allows for more parking and would be slightly less in budget. However, it would take a while for

citizens to get used to. Judging from all of the comments received at the open house and since then, the vote has been about even but all have said it would be a vast improvement. The citizens who do not like the round-about have been the most vocal.

Councilor Weber asked if it would be possible to raze the buildings, seed the area, and delay it for one year in light of the budget. Mr. Eisenach stated it is possible but it would cost more in the long run because the contractor would have to come in twice and redo some of the work.

Vice-Mayor Veach asked if this will accommodate the largest truck allowed downtown. Mr. Eisenach stated it would.

Councilor Hill stated he has spoke with citizens regarding the parking on Fairfax and East Lane and sidewalks. Mr. Eisenach stated staff has received a lot of good suggestions that they want to incorporate regarding parking and sidewalks.

Councilor Hill asked what would be in the center of the round-about. Mr. Eisenach stated that is a good question that could be brought back for a separate discussion. The plan now is for low plants and flowers.

Vice-President McInturff stated the landscaping in both options are basically the same and asked if that will remain. Mr. Eisenach stated it would.

Vice-President McInturff asked if there were any concerns with the slope of the grade. Mr. Eisenach stated Mr. Youmans pointed out that a round-about should not be put on a slope but from an engineering standpoint it would not matter.

President Willingham asked if there would be any lighting in the area. Mr. Eisenach stated there would be decorative lighting similar to downtown. President Willingham stated he would like to discuss the middle of the round-about at a future time.

Councilor Weber moved to forward R-2014-12 with option A. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

3.6 O-2014-08: AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF PROPERTIES NECESSARY FOR THE REALIGNMENT OF NATIONAL AVENUE GATEWAY IMPROVEMENT PROJECT BY MEANS INCLUDING BUT NOT LIMITED TO CONDEMNATION AND ACCEPTANCE BY THE CITY OF SAID PROPERTY

Economic Development Director Jim Deskins presented the ordinance to acquire the property at 228-232 East Piccadilly Street. He stated staff tried to get the property through a short sale with the bank until the property owner

changed their mind. The offer was for \$171,000 with an assessed value of \$171,000.

Councilor Weber asked if anyone lives in the building. Mr. Deskins stated no. Councilor Weber asked how long it has been since anyone lived in the building. Mr. Deskins stated 2 to 3 years but he would need to check with the police to be sure.

Vice-President McInturff moved to forward O-2014-08 to Council. *The motion was seconded by Councilor Clark then approved 8/1 with Councilor Buettner voting in the negative.*

3.7 O-2014-09: AN ORDINANCE TO CONDITIONALLY VACATE A PORTION OF S. INDIAN ALLEY RIGHT-OF-WAY ADJOINING THE PROPOSED SHENANDOAH VALLEY DISCOVERY MUSEUM AT 19 W. CORK STREET AND CONDITIONALLY CONVEY IT TO THE SHENANDOAH VALLEY DISCOVERY MUSEUM

Planning Director Tim Youmans presented the request to vacate a portion of South Indian alley to the Shenandoah Valley Discovery Museum. He stated at the previous meeting, there were concerns regarding the liability to the city. He is now bringing the ordinance forward as a conditional conveyance that would allow for the property to revert back to the city if the Discovery Museum no longer exists there or there is a change in use in the adjacent parking lot. On a 5/0/1 vote, the Planning Commission moved it forward favorably with conditions.

Councilor Weber asked if the Old Town Development Board commented on this. Mr. Youmans stated the Downtown Manager as well as other staff members have provided comments but he is unaware if the OTDB has commented.

Councilor Weber stated the Parking Authority does not support this. He expressed his concern about how this is coming to Council and that not everyone has had an opportunity to vet. President Willingham stated this is the same process the city follows on all items.

Councilor Tagnesi asked if a child walking down the street with a parent would have an opportunity to climb on the dinosaur head. Mary Braun, Executive Director of the Discovery Museum, stated the parents would be responsible for their child.

Councilor Buettner stated if it is left as it is, there will be kids racing across the parking lot. This seems safer to him even if a child goes over the hedge to play on the dinosaur.

Vice-Mayor Veach asked if there had been reports of pedestrian accidents here. Mr. Youmans stated he did not have any data on accidents.

Vice-President McInturff stated he understands the point of the bump out is for the safety but he wrestles with having an attraction there. He moved to forward the ordinance to Council to vacate the portion of Indian Alley right-of-way adjoining the portion owned by the Shenandoah Valley Discovery Museum with the understanding and condition that nothing is placed in that pad area specifically a dinosaur head.

President Willingham clarified that the motion is to forward the current ordinance with the additional condition of no fixed improvements. He asked if the motion is subject to the original conditions set by the Planning Commission, the establishment of utility easements which are necessary and an agreement to spell out the conditions for a possible reversion of ownership back to the city. Vice-President McInturff stated that is correct.

President Willingham asked the City Attorney if this is approved without Mr. McInturff's addition, could it be tightened up some way technically. Mr. Williams stated that Council will want to be specific in the ordinance and the agreement in regard to what will and will not be allowed. Council does not want to be in the situation where you are vacating and conveying and retaining approval over what can be done. You can have language in the ordinance that identifies that and be much more specific in the agreement which is subject to approval by Council.

The motion was seconded by Vice-Mayor Veach.

Councilor Tagnesi asked why the City would give them the land if it can't be used for this purpose. Vice-President McInturff stated the land would be for safety and a holding area for the students coming off the buses.

Mayor Minor stated she thinks the triceratops is the focal point for the museum and it needs to go there.

Councilor Buettner moved to amend the motion to add the dinosaur head.

President Willingham stated he would call for the vote on the original motion first and asked if there was any addition discussion.

Councilor Hill stated safety is a concern for him. The play area is close to the streets at Timbrook Park but there is more visibility.

President Willingham stated he is supportive of vacating the property but not fixing the triceratops.

The motion passed 5/4 with Mayor Minor and Councilors Buettner, Clark and Tagnesi voting in the negative.

3.8 O-2014-10: AN ORDINANCE AMENDING ARTICLE 14.1 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO FLOODPLAIN REGULATIONS

Director of Zoning and Inspections Aaron Grisdale presented the ordinance to amend the flood plain regulations to be consistent with the State and Federal guidelines. He stated the bulk of the amendments are to clarify the duties and responsibilities of the flood plain engineer.

Vice-President McInturff moved to forward O-2014-10 to Council. *The motion was seconded by Councilor Tagnesi and unanimously approved by voice-vote.*

4.0 Liaison Reports

No reports were presented.

5.0 Executive Session

- 5.1** MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(a)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION AND PURSUANT TO §2.2-3711(A) (1) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER INCLUDING THE APPOINTMENT OF OR PROSPECTIVE APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS AND PURSUANT TO §2.2-3711(A)(3) AND (6) FOR THE PURPOSE OF DISCUSSION OR CONSIDERATION OF THE SUBJECT OF THE ACQUISITION OF AN INTEREST IN REAL PROPERTY AND FOR THE PURPOSE OF DISCUSSION OF THE SUBJECT OF INVESTMENT OF PUBLIC FUNDS WHERE BARGAINING IS INVOLVED, AND WHERE IF MADE PUBLIC, THE BARGAINING POSITION OR FINANCIAL INTEREST OF THE CITY WOULD BE ADVERSELY AFFECTED AND PURSUANT TO §2.2-3711(a) (29) FOR THE PURPOSE OF DISCUSSION OF THE AWARD OF A PUBLIC CONTRACT INVOLVING THE EXPENDITURE OF PUBLIC FUNDS, INCLUDING INTERVIEWS OF BIDDERS OR OFFERORS, AND DISCUSSION OF THE TERMS AND SCOPE OF SUCH CONTRACT, WHERE DISCUSSION IN AN OPEN SESSION WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE CITY AND PURSUANT

TO §2.2-3711(A)(40) FOR THE PURPOSE OF DISCUSSION OF RECORDS EXCLUDED FROM CHAPTER 37 OF TITLE 2.2 OF THE CODE OF VIRGINIA PURSUANT TO SUBDIVISION 3 of § 2.2-3705.6

Vice-President McInturff moved to convene into executive session at 8:46 p.m. *The motion was seconded by Councilor Tagnesi then unanimously approved by voice-vote.*

Vice-President McInturff moved to reconvene in open session at 9:07 p.m. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

Upon returning, each member certified that only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act were discussed during the closed meeting, and that only those public business matters identified in the motion which convened the closed meeting were heard, discussed, or considered during the closed meeting.

A roll call vote was taken, the ayes and nays being recorded as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Councilor Buettner	Aye
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President McInturff	Aye
Mayor Minor	Aye
Councilor Tagnesi	Aye
Vice-Mayor Veach	Aye
Councilor Weber	Aye
President Willingham	Aye

6.0 Monthly Reports

6.1 Finance Department

7.0 Adjourn

Vice-President McInturff moved to adjourn the meeting at 9:08 p.m. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*